



Ashley B. Summer
Attorney
T: (212) 413-9036
ashley.summer@nelsonmullins.com

NELSON MULLINS RILEY & SCARBOROUGH LLP
ATTORNEYS AND COUNSELORS AT LAW
330 Madison Avenue
27th Floor
New York, NY 10017
T: (212) 413-9000 F: (646) 428-2610
nelsonmullins.com

June 27, 2025

Via ECF

The Honorable Victoria Reznik
United States District Court Southern District of New York
The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse
300 Quarropas Street
White Plains, New York 10601-4150

RE: *The Wave Studio, LLC v. General Hotel Management, Ltd., et al.*
Civil Action No: 7:13-cv-09239-CS

The Wave Studio, LLC v. Citibank N.A. et al
Case No. 7:22-cv-05141-CS

Dear Judge Reznik:

As ordered by the Court (ECF No. 529), Defendants Emerging Travel, Inc; Emerging Travel, Inc. dba as Rate Hawk; and Emerging Travel, Inc. dba as Zen Hotels hereby provide their response to the Plaintiff's letter dated June 18, 2025 (ECF No. 528).

I. Counsel of Record

Emerging Travel, Inc; Emerging Travel, Inc. dba as Rate Hawk; and Emerging Travel, Inc. dba as Zen Hotels (collectively the "ETG Parties" herein) confirm that they are represented by Ashley B. Summer of Nelson Mullins Riley & Scarborough, LLP, who has filed an appearance in the relevant Case No. 7:22-cv-05141-CS in which the ETG Parties have been named as defendants.

In addition, the ETG Parties confirm that John A. Bauer, who previously appeared for them in these proceedings, is no longer with the Nelson Mullins law firm and is no longer counsel for the ETG Parties. If necessary, a separate withdrawal for Mr. Bauer will be filed.

II. A Status Conference Would be Premature

The ETG Parties believe that any status conference is premature until the pending motions to dismiss are resolved, as appears contemplated by prior orders. *See* Dkt. No. 384 (indicating that the case remained stayed and that, after the motions to dismiss are decided, the parties would

The Honorable Victoria Reznik
June 27, 2025
Page 2

confer on a case schedule and any further stay of discovery would be considered). The ETG Parties respectfully submit that continued adherence to that approach, which may narrow the parties and issues in the cases, remains the most efficient.

III. The Master Complaint

The ETG Parties understand that the Master Complaint (ECF No. 332) is the operative pleading in these proceedings.

IV. Settlement

The ETG Parties remain open to settlement discussions.

V. Other Issues

The ETG Parties do not currently take any position on the remaining issues raised by Plaintiff that do not pertain to them at this time, including motions filed by other parties and appearances by other parties.

Respectfully submitted,

/s/ Ashley B. Summer

Ashley B. Summer

cc: Counsel of Record (via ECF)